

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

CAPITAL ONE FINANCIAL)	
CORPORATION,)	
)	
Plaintiff,)	
)	Civil No. 1:11 CV 750 (LO/TRJ)
v.)	
JOHN A KANAS and)	
JOHN BOHLSSEN,)	
)	
Defendants.)	
_____)	

ORDER

Upon consideration of Defendants John A. Kanas and John Bohlsen's Motion for Leave to File Documents Under Seal, the Court finds as follows:

1. Proper notice of this sealing motion has been given to the public through the public filing of this motion.
2. Defendants have submitted interrogatory responses and discovery correspondence designated as confidential and highly confidential pursuant to the Agreed Protective Order Without Sealing Provisions ("Agreed Protective Order") entered in the case on December 6, 2011. Dkt. Entry 20.
3. Pursuant to that Agreed Protective Order, Defendants have sought to file under seal any documents designed by Capital One Financial Corporation ("Capital One") or Defendants as confidential or highly confidential.
4. To support their Response to Capital One's Motion to Compel Interrogatory Responses, Defendants have submitted the following exhibits and papers under seal or in redacted form:

Exhibits 1, 2, 3, 12, and 13 to the Declaration of Carlos Sires, dated February 22, 2012 (“Sires Declaration”).

5. In Defendants’ Reply in Support of Their Motion for Leave to File Documents Under Seal, Defendants have withdrawn their request to file Exhibit 3 to the Sires Declaration under seal. Defendants also agree with Capital One that the redacted version of Exhibit 2 to the Sires Declaration may be filed on the public docket.

6. The Court, having considered Defendants’ Motion for Leave to File Documents Under Seal, and having reviewed the sealed or redacted material *in camera*, finds that Exhibits 1, 12 and 13 constitute confidential business information and should not be publicly disclosed in the judicial record.

7. To prevent misuse of Defendants’ and Capital One’s confidential information, sealing limited portions of the record and allowing redactions is appropriate. Accordingly, it is hereby ORDERED that Defendants may file Exhibits 1, 12, and 13 to the Sires Declaration, as well as Defendants’ Response to Capital One’s Motion to Compel Interrogatory Responses in sealed and redacted form to excise Defendants’ and Capital One’s confidential business information. Those sealed and redacted filings shall remain sealed unless and until the Court enters an order unsealing them.

Dated:_____

Hon. Thomas Rawles Jones, Jr.
United States Magistrate Judge